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PTO/SB/85 (03-09)

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PETITION TO ACCEPT UNAVOIDABLY DELAYED PAYMENT OF MAINTENANCE FEE IN AN EXPIRED PATENT (37 CFR 1.378(b))

Docket Number (Optional)

Mail to: Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450
Fax: (571) 273-8300

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.

Patent Number: 6,493,891Application Number: 09/666,921Issue Date: December 17, 2002Filing Date: September 21, 2000

CAUTION: Maintenance fee (and surcharge, if any) payment must correctly identify: (1) the patent number (or reissue patent number, if a reissue) and (2) the application number of the actual U.S. application (or reissue application) leading to issuance of that patent to ensure the fee(s) is/are associated with the correct patent. 37 CFR 1.368(c) and (d).

Also complete the following information, if applicable:

The above-identified patent:

11/07/2011 DALLEN 00000015 6493891

01 FC:1599

1265.00 OP

☐ is a reissue of original Patent No. _____

original issue date _____

original application number _____

original filing date _____

☐ resulted from the entry into the U.S. under 35 U.S.C. 371 of international application

filed on _____

CERTIFICATE OF MAILING OR TRANSMISSION (37 CFR 1.8(a))

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is

(1) being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 OR

(2) transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300.

December 1, 2011

Date

Lucy Livingston
Signature

Lucy J. Livingston

Typed or printed name of person signing Certificate

(Page 1 of 4)

This collection of information is required by 37 CFR 1.378(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 8 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PTO/SB/65 (03-08)

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1. SMALL ENTITY

☐ Patentee claims, or has previously claimed, small entity status. See 37 CFR 1.27

2. LOSS OF ENTITLEMENT TO SMALL ENTITY STATUS

☐ Patentee is no longer entitled to small entity status. See 37 CFR 1.27(g)

3. MAINTENANCE FEE (37 CFR 1.20(e)-(g))

The appropriate maintenance fee must be submitted with this petition, unless it was paid earlier.

NOT Small Entity			Small Entity		
Amount	Fee	(Code)	Amount	Fee	(Code)
<input checked="" type="checkbox"/>	\$ 3 ½ yr fee	(1551)	<input checked="" type="checkbox"/>	\$ 3 ½ yr fee	(2551)
<input type="checkbox"/>	\$ 7 ½ yr fee	(1552)	<input checked="" type="checkbox"/>	\$ 7 ½ yr fee	(2552)
<input checked="" type="checkbox"/>	\$ 11 ½ yr fee	(1553)	<input checked="" type="checkbox"/>	\$ 11 ½ yr fee	(2553)

MAINTENANCE FEE BEING SUBMITTED \$ 585.00

4. SURCHARGE

The surcharge required by 37 CFR 1.20(i)(1) of \$ 700.00 (Fee Code 1557) must be paid as a condition of accepting unavoidably delayed payment of the maintenance fee.

SURCHARGE FEE BEING SUBMITTED \$ 700.00

5. MANNER OF PAYMENT

- ☐ Enclosed is a check for the sum of \$ _____
- ☒ Please charge Deposit Account No. _____ the sum of \$ _____
- ☒ Payment by credit card. Form PTO-2038 is attached.

6. AUTHORIZATION TO CHARGE ANY FEE DEFICIENCY

- ☒ The Director is hereby authorized to charge any maintenance fee, surcharge or petition fee deficiency to Deposit Account No. _____

PTO/SB/85 (03-08)

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7. OVERPAYMENT

As to any overpayment made, please

☐ Credit to Deposit Account No. _____

OR

☐ Send refund check

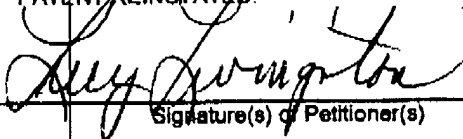
WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

8. SHOWING

The enclosed statement will show that the delay in timely payment of the maintenance fee was unavoidable since reasonable care was taken to ensure that the maintenance fee would be paid timely and that this petition is being filed promptly after the patentee was notified of, or otherwise became aware of, the expiration of the patent. The statement must enumerate the steps taken to ensure timely payment of the maintenance fee, the date and the manner in which the patentee became aware of the expiration of the patent, and the steps taken to file the petition promptly.

9. PETITIONER(S) REQUESTS THAT THE DELAYED PAYMENT OF THE MAINTENANCE FEE BE ACCEPTED AND THE PATENT REINSTATED.



Signature(s) of Petitioner(s)

December 1, 2011

Date

Lucy Livingston

Typed or printed name(s)

1608 Day Star Dr., Dallas, TX 75224

Address

Address

Registration Number, if applicable

214.339.1464

Telephone Number

ENCLOSURES:

- ☒ Maintenance Fee Payment
☒ Statement why maintenance fee was not paid timely
☒ Surcharge under 37 CFR 1.20(i)(1) (fee for filing the maintenance fee petition)
☐ Other: _____

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37 CFR 1.378(d) states: "Any petition under this section must be signed by an attorney or agent registered to practice before the Patent and Trademark Office, or by the patentee, the assignee, or other party in interest."


Signature

December 1, 2011

Date

Lucy Livingston

Type or printed name

Registration Number, if applicable

STATEMENT

(In the space below, please provide the showing of unavoidable delay recited in paragraph 8 above.)

I would have submitted the maintenance fee if I had known the amount and I still don't know what I should have paid on the three payment dates. I was given the TOTAL amount on today, November 1, 2011 by the Petition officer, Thurman? I was made aware of the expired patent on the same day, November 1, 2011 by a representative from Absolutely New who had obtained an interested party in securing a licensing agreement for the product. I was not trying to shun my responsibility and throw away all of the money I have put into this product just to have my rights abandoned. Please have mercy. Thanks.

If I had known that I was not protected I would not have commissioned the following companies to find or license the product after 2006:

Edison Nation/ 2011 \$50.00

Skymall/ 2011

Skymall/ 2006 Sold as a Patented Product

Invention Home/2010 \$300.00

Absolutely New/ 2009 \$5.200

As Seen On TV/2011 - On their Web Site -- Test marketing and possible licensing

Millennium Marketing Group/2008 \$10,000

Global Springs/ 2010

Ralph Lauren/2011

Quirky/ 2011

(Please attach additional sheets if additional space is needed)

(Page 4 of 4)

07/25/2006

23:40

2143391584

LUCY CREATIVE PRODUC

PAGE 07

Page 1 of 1



Date: Saturday, August 6, 2011 2:20 PM
From: SkyMail <NoReply@submitmyinvention.com>
To: livingston1@burr.com
Subject: Thank you for your submission - Pillo Tote

Dear Lucy,

We have received your invention submission. We will review your information and respond to you as quickly as possible.

Thank you for your interest in SkyMail.

Submission Review Team

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07/25/2006

23:40

2143391584

LUCY CREATIVE PRODUC

PAGE 08

Page 1 of 1



Date: Thursday, July 7, 2011 5:33 PM
From: Accounting <accounting@inventionhome.com>
To: Lucy <livingston1@burr.com>
Subject: Invention Home Invoice

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NOV 01 2011

X Invention Home Logo

Dear Lucy,

Below please find your invoice for July, as defined and agreed to in the online Work Verification.

Invoice Date July, 2011

Invoice Number 1107LL113780MF

Invoice Description website marketing in the amount of \$39.

Total Amount Owed \$0.*

We offer three convenient ways to pay:

Online at www.inventionhome.com/pay

Mail:

Invention Home

275 Center Road, Suite 105

Monroeville, PA 15146

Attention: Accounting

Telephone: 866-844-6512 x129

* If amount owed is \$0, you are enrolled in the automatic billing and your credit card has been processed and payment has been applied to your account.

* If you are enrolled in automatic billing and there is a balance listed above, the credit card on file failed to authorize. Please contact the accounting department as soon as possible.

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**INVOICE**

As Seen On TV Agency, Inc
Todd Davies - President
181 Spicer Hill Road
Ledyard, CT 06339
Phone 860-608-5332 Fax 860-381-5469

Invoice Number: ASTV583
Date: August 16, 2011

TO Lucy's Creative Products
Lucy Livingston
1608 Day Star Drive
Dallas, TX 75224

SALESPERSON	JOB	PAYMENT TERMS	DUE DATE
			Upon Receipt

QTY	DESCRIPTION	UNIT PRICE	LINE TOTAL
	Internet set up fee - one time	\$250.00	\$250.00
SUBTOTAL			\$250.00
SALES TAX			
TOTAL			\$250.00

Make all checks payable to As Seen On TV Agency, Inc.
THANK YOU FOR YOUR BUSINESS!

10550 Marty
Overland Park, KS 66212

Date

Bill To

Amount Due

Amount Enc.

\$3,500.00

[illegible]

Amount Due

\$3,500.00



7:30-9:30

December 5, 2008

Lucy Livingston
1608 Day Star Drive
Dallas, TX 75224

Re: Status Report: Pillo Totte

Dear Lucy,

We recently attended Magic Marketplace, August 25th thru August 27th, in Las Vegas. Magic Marketplace is a global event that provides a comprehensive coverage of apparel and accessories for men, women, and children. We **networked** with potential licensees for the Pillo Totte at this event.

Depending on where you are in our process, we will either add the contacts that were made at this show to your working file for the database stage of your project, or if your database is completed, we will send media kits to any companies **sourced** at this event upon our return from the tradeshow.

Typically it takes 30 to 45 days after the show before we receive any feedback.

We will keep you up to date on any interest we receive on your project.

Sincerely,

Bonnie Close
Bonnie Close
Director of Administration
Millennium Marketing Group, Ltd.
(913) 317-9114 x 114
Bonnie.Close@MillenniumIP.com

~~Handwritten signature~~ USA Card
~~Handwritten signature~~
~~Handwritten signature~~ 8310

August 11, 2010

Springs Global US, Inc.
Legal Department/Idea Submissions
205 North White Street
Fort Mill, SC 29716

Patent #: 6493891

To Whom It May Concern:

I am the patent holder of this wonderful item that wins the hearts of many. I am a retired educator, who is constantly attempting to solve problems with ideas that make life a little easier. I developed this product out of a personal need to travel with my two kids. When we traveled by train, bus, car or plane, they always wanted to carry their pillows. At the time, they were four and seven years of age and the bed pillows were constantly falling from under their arms, especially since they had other favorite toys with them. When we arrived at our destination, it was always a problem storing the pillows and their toys. I decided to design a product that could eliminate some of these problems while giving me some organization to my madness.

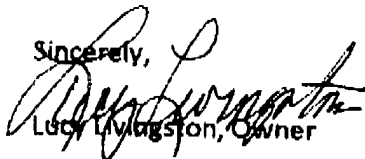
I did not want to blow up a pillow, nor did I want the hassle of carrying and keeping in place a half moon pillow and most of all, I did not want to have to take a pillow out of a carrying bag because the bag could be misplaced.

The PilloTotte® is lightweight, easy to carry, stores many personal items, and most items can remain inside the tote while one uses it for resting or sleeping comfortably. The tote is the pillow and pillow case, all in one unit.

The PilloTotte® can be manufactured with a detachable blanket or most importantly with a detachable towel that has Velcro® fasteners for securing over the head rest of a chaise lounge so that the towel remains in place. The enclosed picture illustrations will give you more of a description of usages and how Skymall marketed it in one of their issues.

Please examine the three versions in this package. If you have any questions, do not hesitate to contact me. I am anticipating a favorable response, because this is a wonderful and practical product that would benefit tremendously from a company such as yours. I would love to see Spring Global put the Pillo Totte® on the worldwide market.

Sincerely,


Lucy Livingston, Owner

214.339.1464 llivingston1@tx.rr.com 1608 Day Star Dr., Dallas, TX 75224

LUCY'S CREATIVE PRODUCTS

1608 Day Star Drive

Dallas, Texas 75224

LLivingston1@tx.ut.com

214.339.1464

June 20, 2011

Polo Ralph Lauren Corporation
 Brian Goldrich, V.P. Licensing at West Point
 650 Madison Avenue
 New York, NY 10022

Contact ID E3715E5403884

Dear Mr. Goldrich:

I was inspired by the article in the May issue of Forbes, "Like Father, Like Child". As I was reading, it dawned on me that Ralph Lauren and family are interactive, creative and challenged by innovative ideas and businesses. Then I started thinking about my admiration for Ralph Lauren's clothing line, which I have supported for many years because of my children and grand children's admiration for the design and quality of your garments. I am also aware of your interest in traveling with style because I purchased a beautiful set of canvas totes that I truly adore. Your bedding is impeccable and we just love to showcase your logo. With all of this in mind, I thought Ralph Lauren is the perfect company to manufacture, market, and sell the Pillo Totte™, which is designed to carry a travel size pillow. People need a classy way of traveling with a pillow. Your Polo logo will give this design the statement it demands because it is out of the ordinary and deserves to stand out among the crowd.

This patented "12 x 18" size tote is designed to carry your pillow and traveling items. The pillow is concealed behind a zipped pocket panel. After the pillow is enclosed, this leaves a pouch (ample space) in front of the panel to insert reading materials, snacks, a blanket and even a laptop. You can sleep on the pillow without removing many of the items from the tote. The adjustable webbed strap makes it convenient to carry the pillow over the shoulder and securely place over the headrest of an airline and/or auto seat. It is even great for using as a headrest on a chaise lounge. By the way, the accompanied beach towel has Velcro™ fastened ends to prevent the towel from slipping.

In the possible absence of a director in your design department, I thought I needed to consider your current line and show how this product can be infused without adding additional supplies and materials to your inventory. You have in your bedding department a 12"x18" throw pillow, which can be the pillow source of the tote. You use webbing for straps on your totes and you have an assortment of cotton twill fabrics to be used as the tote cover. In addition, your current beach towels can be used as the companion to the tote used for outdoor lounging on chaises. The terry is also a great fabric for the tote when being used as a beach towel companion.

I have been designing for years and have patented two products. Due to limited financial resources, I have not been able to manufacture and market the Pillo Totte™ at the level needed for success. There has been a lot of consumer interest during my test marketing stages, for instance, Macy's of New York and Skynrail Catalog.

My main interest is to sell the rights to the patent or license it out. If you need further information, please don't hesitate to contact me. If you so incline to manufacture this product, I will be your first customer. By the way, Blanc de Chine has a travel pillow and blanket that are for sale at the souvenir shop in Terminal G (see enclosure).

Sincerely,

Lucy Livingston, Owner

Cc: Ralph L. Division/ Laurie O'Grady.



• 0

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Your idea will appear in approximately 6 days.

We'll send you an e-mail when this happens, so you can come back to the site and join in the conversation with our community. In the meantime, feel free to browse through the ideas up for evaluation this week.

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- Update your Facebook permissions, and we'll automatically post to your account when your idea is put up for evaluation!

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Your Billing Information

Address

Lucy Livingston

<https://www.quirky.com/ideas>

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